

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

LOUISIANA-PACIFIC CORPORATION, )  
   ) )  
*Plaintiff/Counter-Defendant,* ) )  
   ) )  
v.                                     ) ) Civil Action No. 3:18-cv-00447  
   ) )  
JAMES HARDIE BUILDING            ) ) District Judge Jon P. McCalla  
PRODUCTS, INC.,                   ) )  
   ) ) Magistrate Judge Barbara D. Holmes  
*Defendant/Counter-Plaintiff/Third-* ) )  
*Party Plaintiff,*                ) ) Jury Demand  
   ) )  
v.                                     ) )  
   ) )  
THE KRUSE BROTHERS, INC.,        ) )  
   ) )  
   ) )  
*Third-Party Defendant.*          ) )

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**AGREED ORDER**

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This matter came before the Court upon Defendant James Hardie Building Products, Inc.'s Motion to Compel filed against Plaintiff Louisiana-Pacific Corporation (D.E. 354). Upon announcement to this Court, James Hardie and Louisiana-Pacific have resolved the issues identified in James Hardie's Motion to Compel and as evidenced by the signatures to this Agreed Order, the parties jointly agree to the submission of this Agreed Order, upon the following terms:

1. Plaintiff Louisiana-Pacific shall conduct searches for the terms: wasp!, moth!, pest!, carpenter ant!, and carpenter bee! on the email accounts for the custodians already searched for other documents in the case and will produce non-privileged, responsive document generated from these searches on or before February 15, 2019.
2. All remaining issues in James Hardie's Motion to Compel (D.E. 354) are withdrawn.

3. Neither party shall be awarded its fees and/or expenses incurred with the Motion to Compel (D.E. 354).

It is so ORDERED.

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Barbara D. Holmes  
United States Magistrate Judge

Respectfully submitted this 22<sup>nd</sup> day of February 2019,

/s/ Rocklan W. King III

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 22<sup>nd</sup> day of February 2019, the foregoing was electronically filed. Notice of this filing will be sent by operation of the court's electronic filing system to all parties indicated on the electronic filing receipt, including counsel listed below. Parties may access this filing through the court's electronic filing system.

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*/s/ Rocklan W. King III*  
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